

PATENT COOPERATION TREATY

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

06 MAR 2006

Applicant's or agent's file reference

FOR FURTHER ACTION

See paragraph 2 below

372545-01730

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US04/38245

10 November 2004 (10.11.2004)

10 November 2003 (10.11.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): G06F 17/00, 17/21, 3/00 and US Cl.: 715/501.1, 513, 853, 854

Applicant

YAHOO! INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Date of completion of this opinion

09 February 2006 (09.02.2006)

Authorized officer

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Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/38245

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US04/38245

Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>9-11, 19-22, 32-35, 43, 45, and 54</u>	YES
	Claims <u>1-8, 12-18, 23-31, 36-42, 44, 46-53, and 55</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>9-11, 19-22, 32-35, 43, 45, and 54</u>	NO
Industrial applicability (IA)	Claims <u>1-55</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-8, 12-18, 23-31, 36-42, 44, 46-53, and 55 lack novelty under PCT Article 33(2) as being anticipated by Montebovi (US-2003/0045331).

The Montebovi reference teaches a mobile device, communicating through a gateway to a server over a network, for providing 'back' commands for traversing previous navigation states from a current state. The 'back' navigation retrieves the previous states from a stack and provides two methods of 'back' navigation depending on the user's soft key selection. The mobile device also teaches a display screen for viewing current and previous states based on user selection.

Claims 9-11, 19-22, 32-35, 43, 45, and 54 lack an inventive step under PCT Article 33(3) as being obvious over Montebovi (US-2003/0045331) in view of Kobayashi et al (US-2003/0051207).

The Montebovi reference does not teach or suggest wherein the mobile device was a mobile camera phone for capturing images and uploading said images as part of a mobile photo album application. The Kobayashi et al reference teaches a photo album creating system that includes a mobile camera phone for uploading image data to a data server to be included into the photo album. Kobayashi et al also teach utilizing the mobile camera phone for navigating through images of the photo album.

Claims 1-55 meet the criteria set out in PCT Article 33(4), and thus meets industrial applicability because the subject matter claimed can be made or used in the industry of mobile device display navigation and functionality.